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Attorneys for: PCA CENTRAL CALIFORNIA CORRUGATED, LLC, also  
known as SACRAMENTO CONTAINER CORPORATION,  
erroneously sued herein as Sacramento Container Company

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

DANIEL SCHWARTZ,  
  
Plaintiff,

v.

SACRAMENTO CONTAINER COMPANY  
and DOES 1-25,  
  
Defendants.

Case No. 2:22-cv-02082-JAM-KJN

[Removal from Superior Court of California, County  
of Sacramento, Case No. 34-2022-00324613]

**STIPULATION TO AMEND PRETRIAL  
SCHEDULING ORDER; ORDER (ECF 6)**

Trial Date: October 7, 2024  
Time: 9:00 a.m.  
Judge: John A. Mendez

Complaint Filed: August 4, 2022

**STIPULATION**

Having met and conferred via their respective counsels of record, Plaintiff, DANIEL SCHWARTZ ("Plaintiff"), on the one hand, and Defendant, PCA CENTRAL CALIFORNIA CORRUGATED, LLC, also known as SACRAMENTO CONTAINER CORPORATION, erroneously sued herein as Sacramento Container Company ("Defendant"), on the other hand, hereby stipulate and propose that the above-entitled Court enter an Order in accordance with the following:

**RECITALS**

WHEREAS, the undersigned are counsel of record for Plaintiff and Defendant (collectively, the "Parties");

WHEREAS, on or around January 17, 2023, the Honorable John A. Mendez of the above-entitled Court issued a Pre-Trial Scheduling Order which set, *inter alia*, the following dates and deadlines with respect to discovery and trial:

Expert Witness Disclosure(s)	<b>01-05-2024</b>
Supplemental/Rebuttal Expert Disclosure(s)	<b>01-19-2024</b>
Joint Mid-Litigation Statement Filing Deadline	<b>02-16-2024</b>
Discovery Cut-Off (Expert & Non-Expert)	<b>03-01-2024</b>
Dispositive Motion Filing Deadline	<b>04-26-2024</b>
Dispositive Motion Hearing Date	<b>06-25-2024</b> (1:30 p.m.)
Joint Pre-Trial Statement Filing Deadline	<b>08-16-2024</b>
Final Pre-Trial Conference	<b>08-23-2024</b> (10:00 a.m.)
Jury Trial (5-7 day estimate)	<b>10-07-2024</b> (9:00 a.m.)

WHEREAS, the Parties are diligently pursuing written discovery;

WHEREAS, the Parties still need to complete written discovery and conduct depositions of one or more parties and/or third-party witnesses;

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WHEREAS, the Parties need additional time to complete written discovery and depositions;

WHEREAS, the Parties are confident that all outstanding written discovery and depositions will be completed on or before May 30, 2024;

WHEREAS, the Parties stipulate to extending the current Expert Witness Disclosure(s) deadline from January 5, 2024 to April 5, 2024;

WHEREAS, the Parties stipulate to extending the current Supplemental/Rebuttal Expert Disclosure(s) deadline from January 19, 2024 to April 19, 2024;

WHEREAS, the Parties stipulate to extending the current Joint Mid-Litigation Statement filing deadline from February 16, 2024 to May 16, 2024;

WHEREAS, the Parties stipulate to extending the current Discovery Cut-Off deadline from March 1, 2024 to May 30, 2024;

WHEREAS, the Parties are not seeking to continue the current Dispositive Motion filing deadline, Dispositive Motion hearing date, Joint Pre-Trial Statement filing deadline, Final Pre-Trial Conference hearing date, or trial dates;

WHEREAS, the Parties will not be prejudiced by this short extension of time;

WHEREAS, the Parties agree that this Stipulation may be executed in counterparts, each of which shall be deemed an original Stipulation as to the attorney that signed it, but all of which together shall constitute one and the same instrument.

### STIPULATION

The Parties and the undersigned hereby stipulate and agree as follows:

1. The Parties' current Expert Witness Disclosure(s) deadline of January 5, 2024 shall be continued to April 5, 2024;

2. The Parties' current Supplemental/Rebuttal Expert Disclosure(s) deadline of January 19, 2024 shall be continued to April 19, 2024;

3. The Parties' current Joint Mid-Litigation filing deadline of February 16, 2024 shall be continued to May 16, 2024;

4. The Parties' current Discovery Cut-Off deadline of March 1, 2024 shall be continued to May 30, 2024;

1           5.       All other discovery and trial deadlines shall remain as previously set by the above-  
2 entitled Court.

3           **IT IS SO STIPULATED.**

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5 Dated: February 7, 2024

WANGER JONES HELSLEY PC

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8 By: /s/ Patrick D. Toole

Patrick D. Toole  
Benjamin C. West  
Attorneys for Defendant  
PCA CENTRAL CALIFORNIA  
CORRUGATED, LLC, also known as  
SACRAMENTO CONTAINER  
CORPORATION, erroneously sued herein as  
Sacramento Container Company

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14 Dated: February 7, 2024

ASHTON & PRICE, LLP

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17 By: /s/ Edward A. Schade

Edward A. Schade  
Attorneys for Plaintiff  
DANIEL SCHWARTZ

**ORDER MODIFYING PRETRIAL SCHEDULING ORDER**

Based on the stipulation of the parties and good cause appearing, the Pretrial Scheduling Order, is **MODIFIED** as follows:

Event	New Date
Expert Witness Disclosure(s)	<b>04/05/2024</b>
Supplemental/Rebuttal Expert Disclosure(s)	<b>04/19/2024</b>
Joint Mid-Litigation Statement Filing Deadline	Fourteen (14) days prior to the close of discovery;
Discovery Cut-Off (Expert & Non-Expert)	<b>05/31/2024</b>
Dispositive Motion Filing Deadline	<b>07/26/2024</b>
Dispositive Motion Hearing Date	<b>09/24/2024, at 01:00 p.m.<sup>1</sup></b>
Joint Pre-Trial Statement Filing Deadline	<b>11/14/2024</b>
Final Pre-Trial Conference	<b>11/22/2024, at 10:00 a.m.</b>
Jury Trial (5-7 day estimate)	<b>01/13/2025, at 9:00 a.m.</b>

All other instructions contained in the January 18, 2023 Pretrial Scheduling Order (ECF No. 5) shall remain in effect.

**IT IS SO ORDERED.**

Dated: February 14, 2024

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE

<sup>1</sup> Calendars are subject to last minute changes. Contact the Courtroom Deputy for available dates.